

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
DUBLIN DIVISION**

ALIASNY BRITO

**Plaintiff,
v.**

**COLBY HARRIS AND GTS
TRANSPORTATION
CORPORATION,**

Defendants.

CIVIL ACTION FILE NO. CV 322-038

**REMOVED FROM SUPERIOR
COURT OF LAURENS COUNTY
CIVIL ACTION FILE NO.
21-CG-0396-JG**

**DEFENDANT'S NOTICE OF REMOVAL TO UNITED STATES
DISTRICT COURT**

TO: The Honorable Judges of the United States District Court for the Southern District of Georgia, Dublin Division:

COMES NOW, **GTS TRANSPORTATION CORPORATION**, (hereinafter "Defendant"), and files the following Notice of Removal to United States District Court, showing the Court as follows:

1. This civil action was filed on or about June 7, 2021 in the Superior Court of Laurens County, State of Georgia. That action is designated there as Civil Action File No.: 21-CG-0396-JG. Defendant was purportedly served on or about August 12, 2021, which is the first time Defendant had notice of the suit. In responses to Requests

for Admission, Plaintiff first alleged more than \$75,000 in damages on April 6, 2022. This notice of removal is timely filed.

2. Defendant files herewith a copy of all process, pleadings, and orders received by Defendant in Civil Action File No.: 21-CG-0396-JG, pursuant to 28 USC §1446.

3. Defendant, is now, was at the commencement of Civil Action File No.: 21-CG-0396-JG, and at all times since has been an entity organized and existing under the laws of the Illinois. (Compl. ¶ 3).

4. Defendant's Principal Office at the time of filing of Civil Action File No.: 21-CG-0396-JG, and at all times since has been located in Burr Ridge, Illinois. (Compl. ¶ 3).

5. Defendant Colby Harris was at the commencement of Civil Action File No.: 21-CG-0396-JG, and at all times since, been deceased. While alive, he was a citizen and resident of the State of Florida. (Compl. ¶ 2).

6. Upon information and belief, Plaintiff is an individual residing in the State of Georgia. (Compl. ¶ 1).

7. The action described above is a civil action with a claim of which this Court has original jurisdiction, and it is one that may be removed to this Court by the Defendant pursuant to the provisions of 28 USC §§ 1332 and 1441 et seq., in that there

is complete diversity among the Parties, the Parties are not residents of the same State, and Plaintiff has alleged an amount in excess of \$75,000.00, therefore the amount in controversy exceeds \$75,000.00 exclusive of interest and costs.

8. Plaintiff alleged more than \$75,000 in damages for the first time on April 6, 2022. Defendant attaches hereto a copy of Plaintiff's Responses to GTS Transportation Corporation's Request for Admission, marked as Exhibit "A".

9. Defendants attach hereto a copy of the Summons and Complaint filed in the Superior Court of Laurens County, State of Georgia, marked as Exhibit "B".

10. Defendants attach hereto a copy of Defendant's Notice of Removal which has been sent for filing in the Superior Court of Laurens County, State of Georgia, marked as Exhibit "C".

11. All Defendants agree to this removal.

WHEREFORE, Defendant prays that the above action now pending against it in the Superior Court of Laurens County, State of Georgia, be removed to this Court.

This 3rd day of May, 2022.

HALL BOOTH SMITH, P.C.

/s/ Scott H. Moulton
SCOTT H. MOULTON
Georgia Bar No. 974237
Counsel for Defendants

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(404) 954-5000
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DEFENDANT DEMANDS
TRIAL BY JURY

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CERTIFICATE OF SERVICE

I hereby certify that on this day I have served a copy of the within and foregoing **DEFENDANT'S NOTICE OF REMOVAL TO UNITED STATES DISTRICT COURT** upon all parties to this matter by depositing same in the U.S. Mail, proper postage prepaid, addressed to counsel of record and/or filing said document with the CM/ECF system which will automatically send electronic notification to the following:

Patrick B. Sullivan
Barnes & Cohen, PA
1511 Highway 40 East
Kingsland, GA 31548
psullivan@bbcjustice.com

This 3rd day of May, 2022.

HALL BOOTH SMITH, P.C.

/s/ Scott H. Moulton

SCOTT H. MOULTON
Georgia Bar No. 974237
Counsel for Defendants

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